

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants	:	Qiu et al.	)	Examiner:
			)	Anne R. Kubelik
Serial No.	:	09/766,348	)	
			)	Art Unit:
Cnfrm. No.	:	7683	)	1638
			)	
Filed	:	January 19, 2001	)	
			)	
For	:	HYPERSENSITIVE RESPONSE INDUCED	)	
		RESISTANCE IN PLANTS BY SEED	)	
		TREATMENT	)	

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**NOTICE OF APPEAL AND  
PETITION FOR THREE-MONTH EXTENSION OF TIME**

**Mail Stop AF**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Primary Examiner's decision dated February 26, 2007, finally rejecting claims 41, 49-51, 53, 58-61, 69-71, 73, 75-77, 80, 82, and 84.

Applicants hereby request an extension of time of three months from the due date of May 26, 2007.

Please charge the \$500.00 appeal fee and the \$1020.00 extension of time fee to Deposit Account No. 14-1138. Any additional fees or any overpayment can be charged/credited to Deposit Account No. 14-1138.

Respectfully submitted,

Date: August 27, 2007

/Edwin V. Merkel/  
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